

RECORD OF PROCEEDINGS

CALL TO ORDER

A regular meeting of the Council Bluffs City Council was called to order by Mayor Tom Hanafan at 7:01 p.m., March 10, 2008.

ATTENDANCE

Present: Council members Scott Belt, Lynne Branigan, Matt Schultz, Matt Walsh. Mayor Tom Hanafan.
Absent: Council member Darren Bates
Staff present: Richard Wade, City Attorney; Judith Ridgeley, City Clerk

CONSENT AGENDA

Walsh and Belt moved and seconded approval of the Consent Agenda as presented.

Walsh and Belt moved and seconded to amend the Consent Agenda by moving Item 8C (2) to Item 10D.

VOICE VOTE ON AMENDMENT: Unanimous

VOICE VOTE ON MAIN MOTION: Unanimous

PUBLIC HEARINGS

Resolution 08-61

Held public hearing regarding Resolution 08-61, approving the plans, specifications, form of contract and cost estimate for the Valley View Greenway Trail Project. Belt and Walsh moved and seconded approval of Resolution 08-61. Unanimous

Resolution 08-62

Held public hearing authorizing disposal of City property legally described as lot 480, Twin Cities Plaza. Branigan and Belt moved and seconded approval of Resolution 08-62. Unanimous

ORDINANCES ON FIRST READING

Ordinance 5970, 5971, 5972, 5973, 5974, 5975, 5976 and 5977

Walsh and Branigan moved and seconded introduction of the following eight ordinances amending Chapter 1.40 of the Council Bluffs Municipal Code, "Council Bluffs Civil Rights Commission":

Ordinance 5970, repealing Section 1.40.010 "Purposes" and enacting a new Section 1.40.010 "Purposes";

Ordinance 5971, repealing Section 1.40.030 "Definitions" and enacting a new Section 1.40.030 "Definitions";

Ordinance 5972, repealing Section 1.40.060 "Powers and duties" and enacting a new Section 1.40.030 "Powers and duties";

Ordinance 5973, repealing Section 1.40.080 "Unfair employment practices" and enacting a new Section 1.40.080 "Unfair employment practices";

Ordinance 5974, repealing Section 1.40.090 "Unfair practices – accommodations or services" and enacting a new Section 1.40.090 "Unfair practices – accommodations or services"

Ordinance 5975, repealing Section 1.40.100 "Unfair or discriminatory practices – Housing", and enacting a new Section 1.40.100 "Unfair or discriminatory practices – Housing";

Ordinance 5976, repealing Section 1.40.110 "Unfair credit practices", and enacting a new Section 1.40.110 "Unfair credit practices"; and

Ordinance 5977 repealing Section 1.40.140 "Retaliation", and enacting a new Section 1.40.140 "Retaliation".

VOICE VOTE: 3 Aye; 1 Nay (Schultz)

RESOLUTIONS

Resolution 08-49

Walsh and Schultz moved and seconded approval of Resolution 08-49, annual budget for fiscal year ending 2009 (07-01-2008 thru 06-30-2009). Branigan moved to amend the budget by not filling the requested position in the Parks and Recreation department. Walsh seconded.

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AMENDMENT TO RESOLUTION 08-49: Unanimous
RESOLUTION 08-49 AS AMENDED: Unanimous

Resolution 08-63 Belt and Branigan moved and seconded approval of Resolution 08-63, authorizing the Mayor and City Clerk to enter into an agreement and award bid to Leazenby Construction for the Council Bluffs Recreation Complex Project. Unanimous

Resolution 08-64 Belt and Walsh moved and seconded approval of Resolution 08-64, accepting the work of Eimco Water Technologies in connection with the procurement of the integrated fixed film/activated sludge system and fine bubble DA equipment for the Secondary Treatment System Improvement and authorizing the Interim Finance Director to issue a City check in the amount of \$49,241.95. Unanimous

Resolution 08-65 Belt and Walsh moved and seconded approval of Resolution 08-65, authorizing the Mayor and City Clerk to execute an agreement with MFT Construction Inc., for the 10th Avenue Storm Sewer Improvements. Unanimous

Resolution 08-66 Walsh and Belt moved and seconded approval of Resolution 08-66, authorizing the Mayor and City Clerk to execute an addendum to IDOT preconstruction agreement 2008-12-011 in connection with relocating of power line crossing South 24th Street Bridge over I-80. Unanimous

Resolution 08-67 Belt and Walsh moved and seconded approval of Resolution 08-67, authorizing the Mayor to execute IDOT Agreement No. 408-HBRRU-008, in connection with Oak Street Fire Station Bridge over Indian Creek. Unanimous

Resolution 08-68 Walsh and Branigan moved and seconded approval of Resolution 08-68, awarding bid for security camera at Mid-America Center to Hawkeye. Unanimous

Resolution 08-69 Branigan and Belt moved and seconded approval of Resolution 08-69, authorizing the Mayor to execute the Order Accepting the Acknowledgement/Settlement Agreement from Walgreens #5603 for a second violation of Iowa tobacco laws. Unanimous

Resolution 08-70 Branigan and Walsh moved and seconded approval of Resolution 08-70, authorizing the Mayor to execute an Order Accepting the Acknowledgement/Settlement Agreement from Hy-Vee Drugstore for a violation of Iowa Code Section 453A.2(1). Unanimous

Resolution 08-71 Belt and Walsh moved and seconded approval of Resolution 08-71, authorizing the Mayor and City Council to rename several roadway segments at the request of Pottawattamie County and 911 Communication Center. Unanimous.

MAYOR APPOINTMENTS

Walsh and Schultz moved and seconded to concur with the Mayor's appointments to the Council Bluffs Airport Authority, attached. Unanimous

RECEIVE AND FILE ITEMS

Belt and Walsh moved and seconded to receive and file items 8A through 8D. Unanimous

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CITIZEN'S LETTERS

Received into record letter from Rev. Richard Blodgett, Emanuel Church of the Nazarene.

APPLICATIONS FOR PERMITS OR CANCELLATIONS

Belt and Walsh moved and seconded approval of:

- 1) Renewal of liquor license applications for Billy Cole's Memories, Casey's General Store, Driftwood Inn, Harvey's Council Bluffs Casino, Holiday Inn, Metro Wine and Spirits, Mortensen's Supermarket, No Frills Supermarket, Old River Pizza, Razzle Dazzle, Riverside Grill, Sam's Lounge, Speedee Mart, Sugar's, Super Saver IV, and Tish's Restaurant;
 - 2) New Class C Liquor License for T's Tavern;
 - 3) Application for Iowa Retail Cigarette/Tobacco permit for The Filling Station and T's Tavern; and
 - 4) Salvage yard application for Ganeeden Metals.
- Unanimous

CITIZEN'S REQUEST TO BE HEARD

Reverend Rich Blogett, 2309 S. 13th Street, was present to discuss a variance for placement of a dumpster.

Mr. Aaron Engers, 2310 S. 13th Street, expressed his concern about placement of the dumpster at its present location.

Branigan and Walsh moved and seconded to receive and file pictures into the record from Mr. Engers. Unanimous

Mr. David Cozier, 2644 Avenue D, thanked Council for their support of ordinances that will classify sexual orientation as protected.

Mr. Dale Good, 26 Spencer, informed Council regarding placement of the dumpster.

ADJOURNMENT

Belt and Schultz moved and seconded to adjourn the meeting at 7:29 p.m. Unanimous

The tape recording of this proceeding, though not transcribed, is part of the record of each respective action of the Council. The tape recording of this proceeding is incorporated into these official minutes of this Council meeting as if they were transcribed herein.

ATTEST:



Thomas P. Hanafan, Mayor

Judith H. Ridgeley, City Clerk